IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

RP.No. 974 of 2003(F)

AGAINST THE JUDGEMENT/ORDER IN OP.31344/2001 Dated 27/08/2003

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: REVIIEW PETITIONER/PETITIONER.

ANOORKAVIL SARASWATHI, W/O.RAJAN
KOLLARACKAL, CHELANNUR P.O. KOZHIKODE.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENTS: RESPONDENTS.

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1. BLOCK DEVELOPMENT OFFICER,
CHELANNOOR.

2. SECRETARY, CHELANNOOR GRAMA PANCHAYATH.

3. THE SECRETARY,
DEPARTMENT OF LOCAL ADMINISTRATION,
GOVERNMENT SECRETARIAT, TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD
SRI.P.V.KUNHIKISHNAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

S. SIRI JAGAN, J.

R.P.NO. 974 OF 2003
IN
O.P.NO.31344 OF 2001

DATED THIS THE 20th DAY OF AUGUST, 2007

ORDER

The petitioner seeks review of the judgment in the original petition on a ground which has not been raised in the original petition at all. According to the petitioner, he is entitled to take this new contention in view of the judgment in the Writ Appeal. I do not find any decision by the Division Bench to the effect that the petitioner would be entitled to raise this contention in the review petition. The Division Bench only recorded the request of the petitioner to adjourn the hearing of the case to enable the appellant to file a review petition before the Single Judge. I find that not even in the Writ Appeal the petitioner has raised this new contention as observed by the Division Bench itself. The contention was raised only at the time of hearing. I am not inclined to consider such a contention at this point of time which has not been raised anywhere. Therefore, I do not find any merit in the review petition and accordingly, the same is dismissed.

S. SIRI JAGAN, JUDGE

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